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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS [37 CFR 1.9(f) and 1.27(b)] SMALL BUSINESS CONCERN

I, Ron Losee, declare that the invention entitled Improved Drive Component for an Eddy Current Drive described in the specification filed herewith has been assigned to:

Horton, Inc.
1170 - 15th Avenue Southeast
Minneapolis, Minnesota 55414

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I also hereby declare that I am the Vice President and am empowered to act on behalf of the assignee.

I hereby declare that the assignee qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I also hereby declare that rights under contract or law have been conveyed and remain with the assignee with regard to the above invention.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]


I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that

willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Horton, Inc.

Dated: January 28, 1997


Ron Losee, Vice President

Post Office Address:

1170 - 15th Avenue Southeast
Minneapolis, Minnesota 55414

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